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Date: June 4, 2001

Docket No.: 2761-0147P

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a ☐ continuation ☒ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/184,938 filed on November 3,  
1998, the entire contents of which are hereby incorporated by  
reference,  
by

SARMA, Puranam U.; MADAN, Taruna; PRIYADARSINY, Priyanka; KATTI,  
Seturam B.; and HAQ, Wahajul

for

NOVEL POLYPEPTIDES USEFUL FOR DIAGNOSIS OF ASPERGILLUS FUMIGATUS  
AND A PROCESS OF PREPARING THE SAME

1. ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).
2. ☒ The filing fee has been calculated as follows:

#7/13

Docket No. 2761-0147P

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$710.00		\$355.00	
NUMBER FILED	NUMBER EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	38-20 = 18	x 18 =	\$324.00	x 9 =	\$0.00
INDEPENDENT CLAIMS	2-3 = 0	x 80 =	\$0.00	x 40 =	\$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		+ \$270.00		+ \$135.00	
TOTAL		\$1,304.00		\$0.00	

3. ☒ A check in the amount of \$1,304.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:

a. ☒ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 09/184,938, filed on November 3, 1998, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. 746/DEL/98; 751/DEL/98; 752/DEL/98; and 754/DEL/98 filed in INDIA on March 24, 1998 under 35 U.S.C. § 119.--

b. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/184,938, filed on November 3, 1998 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/184,938 is the national phase of PCT International Application No. PCT/\_\_\_\_\_/\_\_\_\_\_, filed on \_\_\_\_\_ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 119.--

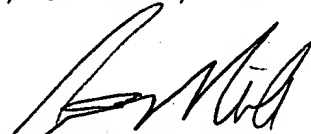
6. ☒ Enclosed is/are ten (10) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 09/184,938 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Council of Scientific and Industrial Research.
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☒ Priority of Application No(s). 746/DEL/98; 751/DEL/98; 752/DEL/98; and 754/DEL/98 filed in INDIA on March 24, 1998 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on October 5, 1999.
- 10b. ☐ Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_\_ Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
  
or  
Customer No. 2292
13. ☐ An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 09/184,938 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:  
  
\_\_\_\_\_  
  
\_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

 #3288  
Gerald M. Murphy, Jr., #28,977

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BS  
GMM/MAA/TBS/csp  
2761-0147P

Attachments

(Rev. 01/23/01)

PATENT  
2761-115P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Puranam U. SARMA et al.

Serial No.: 09/184,938

Group: 1646

Filed: November 3, 1998

Examiner: Unassigned

For: NOVEL POLYPEPTIDES USEFUL FOR DIAGNOSIS OF  
ASPERGILLUS FUMIGATUS AND A PROCESS OF PREPARING  
THE SAME

COPY



LETTER

Assistant Commissioner for Patents  
Washington, DC 20231

October 5, 1999

Sir:

Under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a), the applicants hereby claim the right of priority based on the following applications:

<u>Country</u>	<u>Application No.</u>	<u>Filed</u>
India	746/Del/98	March 24, 1998
India	751/Del/98	March 24, 1998
India	752/Del/98	March 24, 1998
India	754/Del/98	March 24, 1998

A certified copy of the above-noted application(s) is(are) attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Maryanne D. H. (by No 40 064)

Gerald M. Murphy, Jr.

Reg. No. 28,977

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Attachment  
GMM/MAL/bsh